U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

United States of America

    v.   Case No. 06-cr-80-02-SM

Patrick D'Amboise

O R D E R

On July 11, 2008 the defendant appeared for a "probable cause" hearing under Fed. R. Crim. P. 32.1 on alleged violations of conditions of supervision. On June 23, 2008 defendant used alcohol and was subsequently arrested and charged with simple assault-domestic violence. I therefore find probable cause to hold him for a revocation hearing.

The government has supplied the court with substantial evidence of the defendant's guilt. The alleged assault was violent. The defendant has a prior conviction for driving while intoxicated, and it appears that the defendant was under the influence of alcohol when he committed the charged offense. Under these circumstances, the defendant poses a serious risk to the victim if he is allowed to remain free pending a hearing on the supervised release violation. No condition or combination of conditions will be sufficient to ensure that the defendant will

not pose a risk to the public if he is allowed to remain free.

Accordingly, it is **ORDERED** that the defendant be detained pending trial.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.

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Paul Barbadoro
United States District Judge

July 14, 2008

cc: Jessica Brown, Esq.
     Donald Feith, AUSA
     United States Probation
     United States Marshal